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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

Xuzhou Jinjiang Foodstuffs Co., Ltd., a  
 foreign corporation

CASE NUMBER: CV 09 3218 PJH

v.

Plaintiff(s)

Mittelstaedt, Galaviz & Mylin Inc., a California  
 corporation; M&S Shipping Ltd., unknown entity; Preshing  
 Inc., a California corporation;

Defendant(s)

**NOTICE OF DISMISSAL BY PLAINTIFF**  
**Rule 41(a)(1) F.R.Civ.P.**

**PLEASE TAKE NOTICE:**

☒ The above-entitled action is

or

☐ Defendant(s) Mittelstaedt, Galaviz & Mylin Inc., a California corporation; M&S  
 Shipping Ltd., unknown entity; Preshing Inc., a California corporation;

are

hereby dismissed by the plaintiff(s), pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

Dated: November 5, 2009

  
 Plaintiff / Attorney for Plaintiff  
 Xuzhou Jinjiang Foodstuffs Co., Ltd.

THIS NOTICE MAY BE FILED AT ANY TIME BEFORE SERVICE  
 BY THE ADVERSE PARTY OF AN ANSWER OR OF A MOTION  
 FOR SUMMARY JUDGMENT, WHICHEVER FIRST OCCURS.

11/17/09

**NOTICE OF DISMISSAL BY PLAINTIFF**  
**(Rule 41(a)(1), F.R.Civ.P.)**

CV-09 (01/01)



**PROOF OF SERVICE BY U.S. MAIL**

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the County of Santa Ana, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 15375 Barranca Parkway, Suite B-105 Irvine, California.

On November 5, 2009 I served by regular U.S. Mail the foregoing document described as:

**NOTICE OF DISMISSAL BY PLAIBNTIFF (Rule 41(a)(1), F.R.Civ.P)**

On the interested parties in this action:

  X   by placing a true copy thereof in sealed envelopes addressed as stated on the attached mailing list:

**See attached Service List**

  X   (ELECTRONICALLY) I hereby certify that I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrant's):

- Cameron W. Roberts

       (STATE) I declare under penalty of perjury that the above is true and correct.

  X   (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on November 5, 2009 at Irvine, California.

  
\_\_\_\_\_  
Jerry Wang

**SERVICE LIST**

*Xuzhou Jinjiang Foodstuffs Co., Ltd. V. Mittelstaedt, Galavis &  
Mylin, Inc., et. Al.*

*USDC- Northern, Case No.: 09 CV 3218 (PJH)*

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